

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: HEALTH SERVICES**

**DATE: SEPTEMBER 25, 2015**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS SOKOL  
CONOVER  
FRASIER  
MCDEVITT

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR WESTCOTT

**OTHERS PRESENT:**

**REPRESENTING WESTMOUNT HEALTH FACILITY:**

LLOYD COTÉ, ADMINISTRATOR  
BETSY HENKEL, FISCAL MANAGER, DEPARTMENT OF PUBLIC WORKS  
(FORMER COMPTROLLER FOR WESTMOUNT HEALTH FACILITY)

**REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:**

PAT AUER, DIRECTOR OF PUBLIC HEALTH/PATIENT SERVICES  
SHARON SCHALDONE, ASSISTANT DIRECTOR OF HOME CARE DIVISION  
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH DIVISION  
TAMMIE DeLORENZO, CLINICAL & FISCAL INFORMATICS COORDINATOR  
TAWN DRISCOLL, FISCAL MANAGER

ROBERT YORK, DIRECTOR OF OFFICE OF COMMUNITY SERVICES

HARRY CARLSON, DEPUTY DIRECTOR FISCAL MANAGER

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD

PAUL DUSEK, COUNTY ADMINISTRATOR

AMANDA ALLEN, CLERK OF THE BOARD

FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BROCK  
SEEBER  
SIMPSON  
TAYLOR

THOM RANDALL, *ADIRONDACK JOURNAL*

SAMANTHA HOGAN, SECRETARY TO THE CLERK OF THE BOARD

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Mr. Sokol called the meeting of the Health Services Committee to order at 9:00 a.m.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the previous Health Services Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Lloyd Coté, Administrator of Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Coté announced Betsy Henkel, Fiscal Manager for the Department of Public Works and former Comptroller of Westmount Health Facility, would be providing the agenda review.

Commencing the agenda review Ms. Henkel presented the following requests:

1. To appropriate Westmount fund balance of \$398,790 to cover various Budget amendments.
2. To amend the County Budget for various 2015 revenues and expenditures to meet the future needs of Westmount Health Facility.

Ms. Henkel apprised that the two items coordinated in that she had amended and appropriated expenditures for the months of November and December which led to the request to appropriate monies from the Westmount fund balance to cover the balance of funding needed. She pointed out that the revenues did not include Intergovernmental Transfer (IGT) funds which had been appropriated earlier in the year; however, she stated the figures did include the higher private pay rate of \$325 per day, as well as the higher Medicaid rate of \$178.58 per day. She explained that the higher Medicaid rate

was attributed to increases due to co-generation depreciation and interest payments that they were now receiving. Ms. Henkel noted the expenditures did not include certain expenses covered earlier in the year, such as workers' compensation and general liability insurance costs, auditor's fees, Leading Age dues and certain contractual costs for billing software.

Mr. Sokol questioned whether Paul Dusek, County Administrator, had previously reviewed and approved these requests and Mr. Dusek replied affirmatively.

Mr. Conover asked if the request to transfer \$398,790 of Westmount's unappropriated fund balance to the annual operating budget would deplete the fund balance and Ms. Henkel replied in the negative, noting that \$271,010 would remain. Ms. Henkel indicated they had started with about \$1.4 million in the Westmount fund balance and had previously appropriated approximately \$811,000.

Mr. Dusek stated that, as reported in the local newspaper, the New York State Department of Health had preliminarily approved the Certificate of Need to Centers Health Care for their operation of Westmount Health Facility. He added that although some additional procedural steps remained to complete the process, it was believed that they should be ready to conclude the sale at the end of 2015 or early in 2016. Mr. Dusek stated the funding scenario should all work out after the sale of Westmount Health Facility was complete, as would be reflected in the 2015 Multi-Year Plan that would be presented at a later date.

Mr. McDevitt pointed out a transfer of \$7,000 for Legal Services Purchased Fees listed on Page 15 of the transfer report and he questioned what this was for. Ms. Henkel advised it was for legal fees incurred from the Law Firm of Bartlett, Pontiff, Stewart & Rhodes in connection with the Siemens Technologies contract as well as relating to the sale of Westmount Health Facility. Mr. McDevitt then questioned whether legal fees of this nature were paid from more than one departmental budget and Ms. Henkel replied that she was unsure. Mr. Dusek interjected it was important to remember that this firm was handling a lot of different matters for the County, including labor issues for Westmount, the closing on the sale and the Siemens litigation; he added that he would need to review the matter to determine which budgets these costs were being funded from but said he would clarify this matter and email his findings to the Committee members.

Motion was made by Mr. Conover, seconded by Mr. McDevitt and carried unanimously to approve the aforementioned requests as presented and refer same to the Finance Committee. *A copy of the requests are on file with the minutes.*

At Mr. Coté's request, Ms. Henkel provided an update on the Universal Settlement matter, advising they were supposed to be receiving \$339,000 over a five-year period to be paid out at a rate of about \$68,000 per year. She continued that they anticipated this payment would be settled before the IGT monies were received. Additionally, Ms. Henkel stated there were five appeals excluded from the Universal Settlement which meant payment would be received for the co-generation appeals.

Mr. Coté noted that Michael McCarthy, of McCarthy & Conlon, LLP, had been unable to attend today's meeting to perform the review of the 2014 Financial Statements and Independent Auditor's Report for Westmount, as listed on the agenda. Proceeding to the review of staffing levels, he informed two manager positions had been filled and he attributed their successful recruitment to action taken by the Committee to increase the salaries for these positions. He noted there were still a few openings in staff positions, but said he felt they were doing quite well. Mr. Coté advised a few of the Certified Nursing Assistant's (CNA) out of work on disability had returned from maternity leave and he felt they were doing very well at this point. In regards to the census at Westmount Health Facility, Mr. Coté noted they were up to 72 residents and they had two more admissions scheduled for the following week.

Mr. Brock asked how the shift in Westmount's ownership would occur. Mr. Dusek advised that at some point there would come a day when the shift was made, but noted that date had yet to be determined due to the number of steps that still had to be taken to conclude the sale. He said there would be meetings held to discuss this issue and he noted that Mr. Greenberg, the purchaser of Westmount, would be traveling to Warren County to meet with Westmount staff. Mr. Dusek noted that he and Mr. Coté had met with Mr. Greenberg in the past when visiting Centers' sites, but had not recalled doing so until they meet him again yesterday; he reported that Mr. Greenberg was a very nice and professional person who was very knowledgeable about his trade. He reiterated that Mr. Greenberg had confirmed he would be coming to Warren County and had committed to meeting with the Health Services Committee to introduce himself, as well. Mr. Dusek commented that there would be a transition process in the change of ownership between the County and Centers which Mr. Coté would play a key role in. He advised the County was lucky to have Mr. Coté on board for this transition process as he had worked through them in the past in his prior employment.

Mr. Coté provided a brief overview of the transition process and a short discussion ensued.

Ms. Seeber apprised that in her recent conversations with the County Treasurer she had been advised the County was expending about \$4,500 per month for special counsel services just for the Westmount sale and not including any Siemens litigation. She noted that the total costs incurred were obviously more than the \$7,000 included in the budget amendment discussed and she inquired whether it was possible provide a breakdown of the amount paid for special counsel services in relation to Westmount, to identify which budget codes the expenses were funded from, as well as the total amount the County was spending for these services. Ms. Seeber said she had spoken with the County Attorney about this issue as well and noted her opinion that if the cost of special counsel services was substantial it may be more fiscally prudent to create an additional attorney position in the County Attorney's Office, rather than to contract those services out; she added that the County Attorney had indicated there were some services that would be concluded and the associated expenses eliminated in the future.

In regards to the sale of Westmount Health Facility, Mr. McDevitt commented that Supervisors typically became involved with different issues that they felt deeply about and which they argued as factually and intelligently as they were able to do. He said that in this case he felt the issue of the sale was concluded when the Certificate of Need was issued and he urged the County to move forward to conclude the sale as quickly as possible.

Mrs. Frasier questioned whether Mr. McCarthy would be attending a future meeting to review the Financial Statements and Independent Auditor's Report and Mr. Dusek answered affirmatively, asserting that Mr. McCarthy would be asked to attend the next Health Services Committee meeting.

There being no further Westmount Health Facility business to discuss, privilege of the floor was extended to Pat Auer, Director of Public Health/Patient Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing her agenda review, Ms. Auer presented the request to enter into a new agreement with Kathryn Kitchen to provide Occupational Therapy Services for adult clients. She added that the contract term would commence October 19, 2015 and terminate within 30 days of written notice by either party with payment provisions to be determined at the agreed upon visit or meeting rates outlined in the resolution request.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request as presented. *A copy of the resolution request form is on file with the minutes.*

Next, Ms. Auer requested a transfer of funds in the amount of \$41,781 between various budget codes to cover retiree health expenses and employee benefits.

Motion was made by Mrs. Frasier, seconded by Mr. Conover and carried unanimously to approve the request and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Ms. Auer then requested multiple budget amendments to accept Cost of Living Adjustment (COLA) Funding received from various grant programs which she listed as follows:

1. Women Infant and Child Program (WIC) in the amount of \$36,582;
2. Rabies Grant in the amount of \$1,352;
3. Immunization Action Plan (IAP) Grant in the amount of \$2,635; and
4. Children with Special Health Care Needs (CSHCN) Grant in the amount of \$1,477.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve all four requests for budget amendments and refer same to the Finance Committee. *Copies of the requests are on file with the minutes.*

Moving on, the Information for Discussion section of the agenda was reviewed, as follows:

- **Emergency Response and Preparedness Activities** - Ms. Auer noted the monthly Emergency Response and Preparedness Activities Report was included as Attachment #1; she advised the figures reported remained the same as the prior months.
- **Status of Referrals** - Sharon Schaldone, Assistant Director of the Home Care Division, reviewed Attachment #4, stating the status of referrals showed a 1% increase over the prior year.
- **Reports of Expenditures, Revenues, Overtime and Per Diem Use for 2014** - Tawn Driscoll, Fiscal Manager, reviewed Attachment #2, advising the expenditures did not reflect the Certified Home Health Agency (CHHA) long term and maternal child health amounts as they had not yet accounted for the August figures. She advised salaries were up, including part-time positions, due to vacancies, while overtime expenses were down by \$1,260.
- **Revenue and Expense Comparison Report for 2014 vs. 2015** - Ms. Driscoll noted the information provided in Attachment #3 included comparisons of 2014 and 2015 figures and she pointed out the amounts show for both years were similar.

Mr. McDevitt questioned what the negative variances reflected in Attachment #3 accounted for and Tammie DeLorenzo, Clinical and Fiscal Informatics Coordinator, informed the Public Health Division now had competition in the Certified Health Care industry; she noted in the first year they had lost 7% of their businesses to other agencies.

Chairman Geraghty informed the agenda distributed at yesterday's meetings of the New York State Department of Health reflected there were at least two other organizations trying to get involved in providing Certified Health Care services in northern NY counties; he said he would forward a copy of this agenda to Ms. Auer. Chairman Geraghty added that he had received a phone call from a resident praising Warren County's visiting nurses for the assistance they had provided.

Concluding the agenda review, Ms. Driscoll provided an overview of the 2016 Budget Request for the Public Health Division, following which no changes were suggested. *A copy of the Budget Request is on file with the minutes.*

Privilege of the floor was extended to Robert York, Director of Mental Health/Office of Community Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mr. York presented a request to amend the 2015 Warren County Budget to reflect the acceptance of \$19,920 in State-aid to fund new mandated duties from the New York State Office of Mental Health.

Motion was made by Mr. Conover, seconded by Mr. McDevitt and carried unanimously to approve the request and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Next, Mr. York presented a request to create the Children and Youth Single Point of Access (SPOA) Coordinator position, *annual salary \$53,500*, effective November 1, 2015 and amend the Table of Organization accordingly. He explained this position was necessitated by new mandated duties required by the State; therefore, he noted, this position was 100% reimbursable by either Federal or State Aid through the New York State Office of Mental Health.

Motion was made by Mr. Conover, seconded by Mrs. Frasier and carried unanimously to approve the request and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Mr. York provided a staffing update, apprising the position of Deputy Director had been filled by promotion and they were now in the process of backfilling the Program Analyst position. He also advised PEOPLE, Inc. Agency had been successful in their appeal to the Glens Falls Zoning Board as it related to location of the Rose House which would provide peer respite/support services. A short discussion ensued.

Finally Mr. York provided a review of the 2016 Budget Request for the Office of Community Services, during which he noted that the revenues and expenses associated with the fully funded Children and Youth SPOA Coordinator position were not included in the Request and would need to be added. As the Committee was in agreement, a recommendation to revise the Office of Community Services 2016 Budget Request to include the revenues and expenditures associated with the new Children and Youth SPOA Coordinator position was referred to the Budget Officer.

As there was no further business to come before the Health Services Committee, on motion made by Mr. McDevitt and seconded by Mrs. Frasier, Mr. Sokol adjourned the meeting at 10:11 a.m.

Respectfully submitted,  
Samantha Hogan, Secretary to the Clerk of the Board